



\$ RCE
1034

PTO/SB/30 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**Request
For
Continued Examination (RCE)
Transmittal**

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/002,974
Filing Date	10-26-01
First Named Inventor	NUNEZ
Art Unit	1634
Examiner Name	GOLDBERG
Attorney Docket Number	UM/UC-06646

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/ Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. **Fees**

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- The Director is hereby authorized to charge the following fees, or credit any overpayments, to
- a. ☐ Deposit Account No. 08-1280
- i. ☒ RCE fee required under 37 CFR 1.17(e) 02/17/2004 DTESSEM1 00000113 10002974
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:2801 385.00 OP
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$ 385.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Tanya A. Aronson	Registration No. (Attorney/Agent)	47391
Signature	<i>Tanya A. Aronson</i>	Date	2/10/04

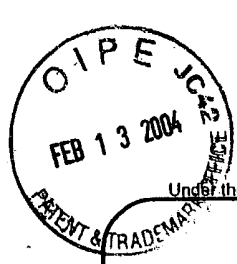
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Name (Print/Type)	M. F. WALTER
Signature	<i>M. F. WALTER</i>
Date	2-10-04

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____

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The Director is hereby authorized to charge the following fees, or credit any overpayments, to

a. ☐ Deposit Account No. 08-1290

i. ☒ RCE fee required under 37 CFR 1.17(e)

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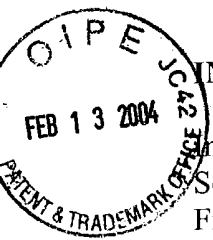
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (Print/Type)	Tanya A. ALEXANDER	Registration No. (Attorney/Agent)	47341
Signature	<i>Tanya A. Alexander</i>	Date	2/10/04

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Name (Print/Type)	M. F. WATTE		
Signature	<i>M. F. WATTE</i>	Date	2-10-04

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PATENT

Attorney Docket No. **UM/UC-06646**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Gabriel Nunez et al.**

Serial No.: **10/002,974**

Group No.: **1634**

Filed: **10/26/01**

Examiner: **Goldberg**

Entitled: **NOD2 Nucleic Acids and Proteins**

**AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION
MAILED NOVEMBER 10, 2003**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)

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Date: February 10, 2004

By: 

Mary Ellen Waite

Examiner Goldberg:

The following communication is responsive to the Office Action mailed November 10, 2003. This response is being submitted with a Request for Continued Examination. Applicants respectfully request reconsideration of the claims in view of the following amendments and remarks.

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